

**OFFICIAL COMMUNICATION**

5775 Morehouse Drive  
San Diego, CA 92121  
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***Facsimile Transmittal***

**DATE:** May 1, 2006

**TO:** Board of Patent Appeals and Interferences  
Commissioner for Patents

**ATTN:** Examiner: Avinash Jain  
Art Unit: 2664

**FAX NUMBER:** 571-273-0053

**FROM:** Kam T. Tam, Attorney for Applicant  
Registration No. 35,756

**Total Number of Pages Sent: 6 (including this transmittal cover sheet)**

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**FILING BY FACSIMILE:**

**ATTORNEY DOCKET NO.:** 010296

**ENCLOSED IS:**

- Transmittal for Notice of Appeal (1 page)(in duplicate)
- Notice of Appeal (3 pages)

**APPLICANT:** Avinash Jain et al.

**ASSIGNEE:** QUALCOMM Incorporated

**SERIAL NO.:** 09/877,820

**FILED:** June 7, 2001

**FOR:** METHOD AND APPARATUS FOR CONGESTION CONTROL IN A WIRELESS COMMUNICATION

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**Please contact Carrie Floss at (858) 845-0157 if all pages do not transmit.**

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PATENT

## AMENDMENT TRANSMITTAL FORM

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Customer No.: 23696  
Attorney Docket No.: 010296  
In Re Application of: Avinash Jain et al.  
Serial Number: 09/877,820  
Filed: June 7, 2001  
Examiner: Andrew Chung Cheung Lee  
Group Art Unit: 2664

Dear Sir:

Transmitted herewith for filing is a Notice of Appeal in the above identified application.

EXTENSION FEES	<input type="checkbox"/> One Month	\$120	\$
	<input type="checkbox"/> Two Months	\$450	\$
	<input checked="" type="checkbox"/> Three Months	\$1020	\$1020
NOTICE OF APPEAL		\$500	\$500
TERMINAL DISCLAIMER		\$130	\$
TOTAL FEE			\$1520

4. ☐ Fee check in the amount of \$\_\_\_\_\_ is enclosed to pay for any claim and/or extension fees.
5. ☒ Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated the amount of \$1520.  
The Commissioner is hereby authorized to charge payment of any additional fees that may be required, or credit any overpayment to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed for fee processing.
6. ☒ The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

Date: May 1, 2006

Signature: Kam T. Tam, Reg. No. 35,756  
(858) 651-5563QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502

## CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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Depositor's Name: \_\_\_\_\_  
(type or print name)

Date: \_\_\_\_\_

## FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office on May 1, 2006.

Depositor's Name: Carrie E. Goss  
(type or print name)Signature: 

PTO/SB/21

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT****AMENDMENT TRANSMITTAL FORM**Mail Stop AF  
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Date: May 1, 2006

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Facsimile: (858) 658-2502**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

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Date: \_\_\_\_\_

**FACSIMILE**

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Depositor's Name: Carrie E. Goss  
(type or print name)Signature: 

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of )

Avinash Jain et al. )

Serial No. 09/877,820 )

Filed: June 7, 2001 )

For: **METHOD AND APPARATUS FOR  
CONGESTION CONTROL IN A  
WIRELESS COMMUNICATION  
SYSTEM**

) Group No. 2664

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Andrew Chung Cheung Lee  
Examiner

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated November 1, 2005, of the Primary Examiner finally rejecting Claims 1-16. Pursuant to 37 CFR § 1.17(b) the fee for filing the Notice of Appeal is \$500.00.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

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(type or print name)

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- ☒ transmitted by facsimile to the Patent and Trademark Office on May 1, 2006.

Depositor's Name: Carrie E. Floss  
(type or print name)

Signature: \_\_\_\_\_

Attorney Docket No. 010296

**PETITION FOR EXTENSION OF TIME**

Applicant's hereby petition a request an extension of time for the period to respond from February 1, 2006 having been extended until May 1, 2006.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$500.00 to pay the necessary fee due under 37 CFR § 1.17(b) for the filing of the Notice of Appeal. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate copy of this notice is enclosed.

Respectfully submitted,

Dated: May 1, 2006

By: 

Kam T. Tam, Reg. No. 35,756  
(858) 651-5563

QUALCOMM Incorporated  
Attn: Patent Department  
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San Diego, California 92121-1714  
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